

**NATIONWIDE PERMITS  
REGIONAL CONDITIONS  
STATE OF NEBRASKA  
OMAHA DISTRICT**

**Fens**

For nationwide permits 3, 5, 20, and 32 permittees must notify the Corps in accordance with General Condition No. 13 (Notification) prior to initiating any activity impacting fens in Nebraska.

Nationwide permits 1, 2, 4, 6-19, 21-25, 28-30, 33-36, 39-44 are revoked for use in fens in Nebraska.

Wetlands commonly known as fens are defined as wetlands that are characterized by waterlogged spongy ground and contain (in all or in part) soils classified as histosols or mineral soils with a histic epipedon. To determine whether this provision applies, the entire wetland must be examined for the presence of histosols or histic epipedons.

**Springs**

All nationwide permits, with the exception of NWPs 3, 20, 31, 37, and 38, are revoked for activities located within 100 feet of the water source in natural spring areas in Nebraska. For purposes of this condition, a spring source is defined as any location where there is artesian flow emanating from a distinct point at any time during the growing season. Springs do not include seeps and other groundwater discharge areas where there is no distinct point source.

**Rainwater Basin**

Nationwide permits 12, 39, 40, 41, 42, and 43 are not applicable in historic, traditional Rainwater Basin wetlands found in the 17-county Rainwater Basin area of south central Nebraska. A traditional basin is defined as those isolated wetlands typically found in a depressional situation on Fillmore, Scott, Olbut or Massie soils.

**Saline Wetlands**

Nationwide permits are not applicable in Category I Eastern Saline wetlands in Lancaster County and Saunders County, Nebraska. Where an activity is authorized in other categories of Eastern Saline wetlands, mitigation shall be required as outlined in the Eastern Saline Mitigation Guidelines.

## Endangered Species

Nationwide permits 39, 40, and 42 are not applicable in the critical habitat for *Grus Americana* (Whooping Crane) as defined in the Federal Register of May 15, 1978 (FR 43 20938-20942).

## Nationwide Permit 27 - Stream and Wetland Restoration Activities

Permittees must notify the Corps in accordance with General Condition No. 13 (Notification) prior to initiating any wetland or riparian restoration or creation activities that involve the discharge of dredged or fill material into waters of the United States.

## Channel Straightening and Relocation Activities

For all nationwide permits that allow channelization activities, the following conditions must be met:

- (1) The total channel length reduction is less than 100 feet (net loss); and
- (2) The project is necessary to prevent significant damage to private or public structures (roads, buildings, bridges, etc.); and
- (3) No more than a total of 300 feet of channel can be filled and the 300-foot linear limit applies to any adverse impacts for all types of streams (perennial, intermittent and/or ephemeral streambeds).

In addition to the above, the following conditions must be adhered to:

(a) Buffer strips shall be set aside along the entire length of the new channel with a minimum width of 30 feet measured from the top of each side slope. The buffer strip shall be planted to appropriate permanent, perennial, native vegetation and shall remain in this condition. Trees/shrubs removed by the construction shall be replaced at a ratio of 2 (replanted): 1 (removed). The trees/shrubs shall be replanted within the buffer strip, extending up and downstream of the project area, if necessary.

(b) The side slopes of the channel shall be no steeper than three feet horizontal to one-foot vertical [3(h): 1(v)]. If steeper slopes are proposed, a registered professional engineer must certify their stability. In no case will unarmored slopes steeper than 2(h): 1(v) be acceptable.

(c) The slope (drop) of the project area shall be determined. In this case, the project area shall encompass from two miles upstream to two miles downstream of the channelization site. For every one foot of increased slope, one drop structure shall be installed. For example, if the slope of the existing channel is 12 feet/mile and the proposed channel slope is 15 feet/mile, three (3) drop structures shall be installed. In general, if there is less than one foot of anticipated bed degradation, no drop structure will be required; however, this will be evaluated on a case-by-case basis. The upstream-most structure shall be located where the new channel begins. The structure shall be built to Natural Resources Conservation Service specifications.